



IP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard French-Constant et al.

Serial No.: 10/706,424

Group 1638

Filed: 11/12/2003

Examiner A.R. Kubelik

DNA SEQUENCES FROM TCD
For: GENOMIC REGION OF
PHOTORHABDUS LUMINESCENS

Docket No.: 62878A

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date appearing below.

October 13, 2005
Date

By Dena H. Tuchman
Dena H. Tuchman

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE

This is a response to the Office Action mailed July 13, 2005. A fee authorization for a two month extension of time is enclosed.

Applicants elect to prosecute the claims drawn to Group IV. Please note that SEQ ID NO:10 is not a nucleic acid sequence, but an amino acid sequence. Group IV is being elected on the assumption that it encompasses nucleic acids that encode SEQ ID NO:10.

Respectfully submitted,

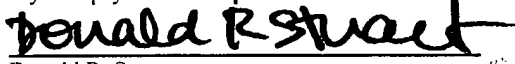
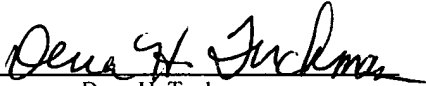
Donald R. Stuart

Donald R. Stuart
Registration No. 28,479
Phone: 317-337-4816

Dow AgroSciences LLC
Patent Section
9330 Zionsville Road
Indianapolis, Indiana 46268

Date: October 13, 2005



FEE AUTHORIZATION LETTER				ATTORNEY'S DOCKET NO. 62878A		
SERIAL NO.	FILING DATE	EXAMINER	GROUP ART UNIT			
10/706,424	November 12, 2003	Anne Kubelik	1638			
IN RE APPLICATION OF: <u>Richard H. Ffrench-Constant</u>						
FOR: <u>DNA SEQUENCES FROM THE Tcd GENOMIC REGION OF PHOTORHABDUS LUMINESCENS</u>						
TO THE ASSISTANT COMMISSIONER FOR PATENTS:						
<input checked="" type="checkbox"/> Applicant(s) petition(s) for an extension of time under 37 CFR 1.136 to file the accompanying ___ Response within one month of original date due date (\$110.00) <input checked="" type="checkbox"/> Response within two months of original date due date (\$430.00) ___ Response within three months of original date due date (\$980.00) ___ Response within four months of original date due date (\$1,530.00) ___ Response within five months of original date due date (\$2,080.00) The accompanying papers include amended claims. The fee has been calculated as follows:						
CLAIMS AS AMENDED						
(1)	(2) CLAIMS REMAINING AFTER AMENDMENT	(3)	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) NO. OF EXTRA CLAIMS PRESENT	(6) RATE	(7) ADDITIONAL FEE
TOTAL CLAIMS	*	MINUS	**	0		\$.00
INDEP. CLAIMS	*	MINUS	***	0	\$	\$.00
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT					\$ 00	
<small>* If the entry in column 2 is less than the entry in column 4, write "0" in column 5. ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space. *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.</small>						
The following other fees are incurred by the accompanying papers. ___ Transmitted herewith is Petition Pursuant to 37 CFR 1.48(b) for which the fee is due in the amount of _____ ___ Transmitted herewith is an Information Disclosure Statement under 37 CFR 1.97(c), for which the fee under 37 CFR 1.17(p) is _____ <input checked="" type="checkbox"/> Transmitted herewith is petition for two (2) month extension of time under 37 CFR 1.136, for which the fee under CFR 1.17(a)(3) is \$450.00						
<input checked="" type="checkbox"/> Please charge Deposit Account No. 04-1529 in the name of Dow AgroSciences LLC in the amount of \$450.00 . Two copies of this sheet are enclosed. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional filing fees which may be required by the accompanying application or credit any overpayment to Deposit Account No. 04-1529 .						
Dow AgroSciences LLC Patent Section 9330 Zionsville Road Indianapolis, Indiana 46268-1054 January 20, 2005			 Donald R. Stuart Agent for applicant(s) Registration No. 28,479 Phone No.: (317) 337-4816			
CERTIFICATE OF MAILING						
I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on date appearing below.						
October 13, 2005 Date			By  Dena H. Tuchman			

10/19/2005 HTECKLU1 00000016 041529 10706424

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450.00 DR